IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2007

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.9786 of 1999

P.Durairaj .. Petitioner.

Versus

1.The District Collector,
Tirunelveli.

2.The Assistant Executive Engineer,
North Pachiyar Dam,
III Sub Division,
Cheranmadevi, Tirunelveli District. .. Respondents.

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to forbear from proceeding with the taking over possession of the petitioner's 1.78.0 Hectares of land in S.No.1041(3) Pathai Village, Nanguneri Taluk, Tirunelveli District without following the procedures under Land Acquisition Act and considering the petitioner's representation dated 30.3.99.

For petitioner : Mr.R.Thamodaran

For respondents : Mr.V.Manoharan
Government Advocate

O R D E R

Heard Mr.R.Thamodaran, the learned counsel appearing for the petitioner and Mr.V.Manoharan, the learned Government Advocate appearing for the respondents.

2. Though the prayer sought for by the petitioner in the present writ petition is for a larger relief, the learned counsel appearing on behalf of the petitioner has submitted that it would suffice, if the representation of the petitioner, dated 30.3.99, sent to the first respondent, is directed to be disposed of on merits, within a specified period.

3. The learned counsel appearing on behalf of the respondents, has no objection for such an order being passed by this Court.

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4. Considering the above submission made by the learned counsel for the petitioner, the first respondent is directed to dispose of the representation of the petitioner, dated 30.3.99, on merits and in accordance with law, after hearing the parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish to the first respondent a copy of the representation, along with a copy of this order.

The writ petition is disposed of accordingly. No costs.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

csh

To

1.The District Collector,
Tirunelveli.

2.The Assistant Executive Engineer,
North Pachiyar Dam,
III Sub Division,
Cheranmadevi, Tirunelveli District.

1 cc To Mr.R.Thamoadaran, Advocate, SR.68915.
1 cc To The Government Pleader, SR.69056.

Writ Petition No.9786 of 1999

LA(CO)
RVL 30.11.2007

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